



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/727,877	12/01/2000	Seichi Hosoda	14108

CONFIRMATION NO. 4039

ABANDONMENT/TERMINATION
LETTER

AUG 18 2006

OFFICE OF PETITIONS

Date Mailed: 03/28/2006

Paul J. Esatto, Jr.
Scully, Scott, Murphy & Presser
400 Garden City Plaza
Garden City, NY 11530

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 01/16/2001.

- No reply was received.

If a complete reply to the notice was previously filed by applicant within the time period set forth in the notice, applicant may request for reconsideration of the holding of abandonment within 2 months from the mailing of this notice of abandonment by filing a petition to withdraw the holding of abandonment under 37 CFR 1.181(a). No petition fee is required. The petition must be accompanied by a true copy of the originally filed reply and the item(s) identified in one of the following:

1. A properly itemized date-stamped postcard receipt (see MPEP § 503);
2. If the originally filed reply included a certificate of mailing or transmission in compliance with 37 CFR 1.8(a), a copy of the certificate of mailing or transmission and a statement in compliance with 37 CFR 1.8(b) (see MPEP §§ 512); or
3. If the reply was filed via Express Mail, a submission satisfying the requirements of 37 CFR 1.10(e) including, for example, a copy of the Express Mail mailing label showing the "date-in" (see MPEP § 513).

Any petition to withdraw the holding of abandonment should be directed to OIPE.

If applicant did not previously file a complete reply within the time period set forth in the notice, applicant may file a petition to revive the application under 37 CFR 1.137.

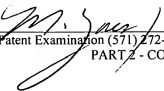
Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/61.

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37

CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/64.

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (571) 272-3282.

*A copy of this notice **MUST** be returned with the reply.*


Office of Initial Patent Examination (571) 272-4000, or 1-800-PTO-9199, or 1-800-972-6382

PART 2 - COPY TO BE RETURNED WITH RESPONSE



#8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Seiichi Hosoda, et al.

Examiner: Unassigned

Serial No: 09/727,877

Art Unit: Unassigned

Filed: December 1, 2000

Docket: 14108

For: BATTERY-POWERED LIGHT
SOURCE DEVICE FOR ENDOSCOPE

Dated: May 1, 2006

Conf. No.: 4039

RECEIVED

AUG 18 2006

OFFICE OF PETITIONS

Mail Stop Petitions (OIPE)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST TO RESCIND ABANDONMENT
UNDER 37 C.F.R. § 1.181(a)

Dear Sir:


Applicant has received a Notice of Abandonment dated March 28, 2006 in the above-identified application for allegedly failing to reply to the Notice to File Missing Parts issued on January 16, 2001.

Since a complete reply to the Notice to File Missing Parts was timely sent, Applicants herein petition to withdraw the holding of abandonment under 37 C.F.R. § 1.181(a).

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Petitions (OIPE), Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Dated: May 1, 2006


Thomas Spinelli

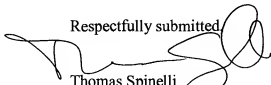
A Notice to File Missing Parts issued on January 16, 2001. A reply thereto was filed on February 22, 2001 with an English language specification, a certificate of translation and a check in the amount of \$130.00. A copy of the postcard receipt, Transmittal Letter and Response to the Notice to File Missing Parts are enclosed hereto.

Applicants would also like to note that Ms. Delora Dillard called the undersigned to request a copy of the response to the Notice to File Missing Parts in early March of 2006. Applicants sent a copy of the response to Ms. Dillard's attention along with copies of the postcard receipt and transmittal letters by Express Mail on March 15, 2006 (Express Mail No. EV774351272US). The U.S. Post Office has confirmed the same was delivered at 1:13 pm on March 16, 2006 in Alexandria, VA and signed for by K. Howard. Thus, the present petition is the third time Applicant's have responded to the Notice to File Missing Parts.

In view of the fact that Applicant made a *bona fide* response to the Notice to File Missing Parts, it is respectfully requested that the abandonment of this application be rescinded under 37 C.F.R. § 1.181(a).

Although, Applicants do not believe any fees are required, should any fee be required, please charge Deposit Account No. 19-1013/SSMP, therefore a duplicate copy of this transmittal is enclosed.

Respectfully submitted,



Thomas Spinelli
Registration No. 39,533

Scully, Scott, Murphy & Presser, P.C.
400 Garden City Plaza, Suite 300
Garden City, New York 11530
(516) 742-4343
TS:cm
Encl.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant(s): Seiichi Hosoda, et al.

Examiner: Unassigned

Serial No: 09/727,877

Art Unit: Unassigned

Filed: December 1, 2000

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For: BATTERY-POWERED LIGHT
SOURCE DEVICE FOR ENDOSCOPE

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Petitions (OIPE), Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Dated: May 1, 2006

A handwritten signature in black ink, appearing to read "Thomas Spinelli".

Thomas Spinelli

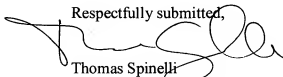
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Respectfully submitted,



Thomas Spinelli
Registration No. 39,533

Scully, Scott, Murphy & Presser, P.C.
400 Garden City Plaza, Suite 300
Garden City, New York 11530
(516) 742-4343
TS:cm
Encl.

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Large Entity)**

Docket No.
14108

In Re Application Of: Seichi Hosoda, et al.

MAY 04 2006
PATENT & TRADEMARK OFFICE

Serial No.
09/727,877

Filing Date
December 1, 2000

Examiner
Unassigned

Group Art Unit
Unassigned

Invention: **BATTERY-POWERED LIGHT SOURCE DEVICE FOR ENDOSCOPE**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on

1/16/01
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☐ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☐ A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☒ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☐ Other (list):

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AUG 18 2006

OFFICE OF PETITIONS

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.
14108

In Re Application Of: **Seiichi Hosoda, et al.**

Serial No.
09/727,877

Filing Date
December 1, 2000

Examiner
Unassigned

Group Art Unit
Unassigned

Invention: **BATTERY-POWERED LIGHT SOURCE DEVICE FOR ENDOSCOPE**

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TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

☒ Completion of application fees as calculated below:

☐ Utility application filing fee _____

☐ Design application filing fee _____

☐ Total number of independent claims = _____

☐ Total number of claims = _____

☐ Multiple dependent claims _____

☐ Surcharge for late payment of filing fee and/or late filing of original declaration or oath _____

☐ Petition and fee for filing by other than all the inventors or a person not the inventor _____

☒ Fee for processing an application filed with a non-English language specification **\$130.00**

☐ Fee for processing and retention of application _____

Total completion of application fees **\$130.00**

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month

☐ Two months

☐ Three months

☐ Four months

☐ Five months

from: _____

until: _____

Date

Date

Total time extension fees _____

Total fees due **\$130.00**

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Large Entity)**

Docket No.
14108

In Re Application Of: Seiichi Hosoda, et al.

Serial No.
09/727,877

Filing Date
December 1, 2000

Examiner
Unassigned

Group Art Unit
Unassigned

Invention: **BATTERY-POWERED LIGHT SOURCE DEVICE FOR ENDOSCOPE**

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OFFICE OF PETITIONS

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

The fee of \$130.00 is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 19-1013/SSMP
A duplicate copy of this sheet is enclosed.
- ☐ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No.
A duplicate copy of this sheet is enclosed.



Signature

Dated: February 22, 2001

Thomas Spinelli
Registration No.: 39,533

Scully, Scott, Murphy & Presser
400 Garden City Plaza
Garden City, New York 11530
(516) 742-4343

I certify that this document and fee is being deposited on
2/22/01 with the U.S. Postal Service as first
class mail under 37 C.F.R. 1.8 and is addressed to the
Assistant Commissioner for Patents, Washington, D.C.
20231.


Signature of Person Mailing Correspondence

Mishelle Mustafa

Typed or Printed Name of Person Mailing Correspondence

cc:



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/727,877	12/01/2000	Seiichi Hosoda	14108

CONFIRMATION NO. 4039

FORMALITIES LETTER



OC000000005681497

Paul J. Esatto, Jr.
Scully, Scott, Murphy & Presser
400 Garden City Plaza
Garden City, NY 11530

Date Mailed: 01/16/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- The balance due by applicant is \$ 130.

A copy of this notice MUST be returned with the reply.

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AUG 18 2006

OFFICE OF PETITIONS

Salih C. M. El
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



CERTIFICATE OF TRANSLATION

RECEIVED

AUG 18 2006

OFFICE OF PETITIONS

I, David H. Owens, of Nishishinbashi 3 Mori Bldg. 4F, 1-4-10 Nishishinbashi,
Minato-ku, Tokyo, Japan, verify that the attached (118) pages
comprise a certified translation of the original Japanese language document of
US Serial No. 09/727,877.

Dated this 27th day of December, 2000

David H. Owens